



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/580,493

05/23/2006

Wiebe De Haan

NL 031381

2071

24737

7590

04/10/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

KHAN, ASHER R

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

04/10/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/580,493 | Applicant(s) DE HAAN, WIEBE | |
| | Examiner ASHER KHAN | Art Unit 2621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1, 2, 8, 14 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Conditional commands have not been described in the specification. Specification only mentions of an example of a conditional command which is compare and jump (0055). A precondition has not been described in the specification. Again example of precondition is given as "compare and jump" (0055). A predefined way has not been specifically explained. Specification only mentions a predefined way as a way defined in optical disc standard (0019)

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 5-12,14-15, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 7,724,472 to Abecassis.

As to claims 1, 2 and 18, Abecassis discloses a method for performing a playback sequence (112)(Fig. 6, segment sequence, 724 or playback routines 721) from an optical disc (100) (Fig. 6, 701)comprising a content (103) (Fig. 3, 501 or video information on the disk 701) and a navigation structure (104) (Fig. 6, all boxes such as play function and etc), the navigation structure (104) (Fig. 6, all boxes such as play function and etc or content map or viewer preference structure 651 or 713) comprising commands from a set of navigation commands(Fig. 6, all boxes for example, insert video disk, viewer control enabled and etc) for controlling the playback sequence (112)(Fig. 6, segment sequence, 724 or playback routines 721)of the content (103)(Fig. 3, 501 or video information on the disk 701), the set of :
navigation commands (Fig. 6, all boxes for example, insert video disk, viewer control enabled and etc) comprising conditional commands (110)(Fig. 6, diamond boxes for example viewer control enabled, edit preference match 713, edit privileges 716, adequate preference structure 719 and etc) for controlling the playback sequence (112))(Fig. 6, segment sequence, 724) in a predefined way (109) (Fig. 6, Edit privileges is “NO” 714 or before editing is done) depending on a precondition (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) being related to a playback status (102) (Fig. 6, 702, play function), the content (103) (Fig. 3, 501 or video information on the disk 701) comprising a first information (106) being freely accessible (Edit privileges is “NO”, Fig. 6 or before editing) and a second information (107) (Edit

Art Unit: 2621

privileges is "YES" Fig. 6 or video after editing) being accessible dependent on the precondition (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) in a preceding conditional command (Fig. 6, diamond boxes for example viewer control enabled, edit preference match 713, edit privileges 716, adequate preference structure 719 and etc), the method comprising the steps of: playing back the content (103) (Fig. 3, 501 or video information 611 on the disk 701) according to the navigation commands (Fig. 6), recognizing a preset precondition (111) (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) that is unrelated to the playback status (102) (Fig. 6, 702, play function), acting in a way different from the predefined way (113) (playing without editing) upon the preceding conditional command that comprises said preset precondition (111) (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) for controlling access to the second information (107) (edited program)(Col. 12 line 1-67, col. 13, lines 1-21).

As to claim 5, Abecassis discloses everything claimed as applied in claims 1 and 2 above. In addition Abecassis discloses a button command being a command from the set of navigation commands that is operative during an active-period in which a user input (305) can set the playback status, the button command acting in the predefined way depending on the playback status, the active-period constituting the precondition of the button command, characterized in that the preceding conditional command comprising a preset precondition is a non-operative button command (NBC) for controlling the access to the second information, the precondition being preset by the

Art Unit: 2621

active-period being substantially zero (Col. 12 line 1-67, col. 13, lines 1-21 and lines 45-55).

As to claim 6, Abecassis discloses everything claimed as applied in claims 1 and 2 above. In addition Abecassis discloses the first information (106) and the second information (107) are mixed (204; 205) on the disc (100) (Fig. 6, 701 video disk contains information for editing).

As to claims 7, 11, 12 and 17, Abecassis discloses everything claimed as applied in claims 1 and 2 above. In addition Abecassis discloses optical disc (100) comprises identification code (201; 401) to indicate that the optical disc (100) contains preset preconditions (111) (Col. 12, lines 33-63).

As to claim 8, Abecassis discloses a player for performing a playback sequence (112)(Fig. 6, segment sequence, 724 or playback routines 721) from an optical disc (100) (Fig. 6, 701) comprising a content (103) (Fig. 3, 501 or video information on the disk 701) and a navigation structure (104) (Fig. 6, all boxes such as play function and etc or content map or viewer preference structure 651 or 713), the navigation structure (104) (Fig. 6, all boxes such as play function and etc or content map) comprising commands from a set of navigation commands (Fig. 6, all boxes for example, insert video disk, viewer control enabled and etc) for controlling the playback sequence (112)(Fig. 6, segment sequence, 724 or playback routines 721) of the content (103)(Fig. 3, 501 or video information 611 on the disk 701), the set of navigation commands (Fig. 6, all boxes for example, insert video disk, viewer control enabled and etc) comprising conditional commands (110)(Fig. 6, diamond boxes for example viewer control enabled,

Art Unit: 2621

edit preference match 713, edit privileges 716, adequate preference structure 719 and etc) for controlling the playback sequence (112))(Fig. 6, segment sequence, 724) in a predefined way (109) (Fig. 6, Edit privileges is "NO" 714 or before editing is done) depending on a precondition (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) related to a playback status (102) (Fig. 6, 702, play function), the content (103) (Fig. 3, 501 or video information 611 on the disk 701) comprising a first information (106) being freely accessible (Edit privileges is "NO", Fig. 6 or before editing) and a second information (107) (Edit privileges is "YES" Fig. 6 or video after editing) being accessible dependent on the precondition (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) in a preceding conditional command (Fig. 6 diamond boxes for example viewer control enabled, edit preference match 713, edit privileges 716, adequate preference structure 719 and etc),

the player (300) comprising a reader unit (302) for reading data including the navigation structure (104) (Fig. 6, all boxes such as play function and etc), the navigation structure (104) (Fig. 6, all boxes such as play function and etc or content map) and the content (103) (Fig. 3, 501 or video information on the disk 701) from the optical disc (100), means for receiving user inputs (305) (Fig. 5, remote control or keyboard 656) for defining the playback status (102) (Fig. 6, play function 702), a control unit (301) (Fig. 5, micro processor 603) for receiving the data from the reader unit (302) (Col. 10, lines 42-50) and for combining the content (103) (Fig. 3, 501 or video information 611 on the disk 701) and the navigation structure (104) (Fig. 6, all boxes such as play function and etc

Art Unit: 2621

or content map) to generate the playback sequence (112)(Fig. 6, segment sequence, 724 or playback routines 721), means for recognizing a preset precondition (303) (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) being unrelated to the playback status (102) (Fig. 6, 702), and means for acting in a way different from the predefined way (304) (playing without editing) upon the preceding conditional command that comprises said preset precondition (111) (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) for controlling access to the second information (107) (edited program)(Col. 12 line 1-67, col. 13, lines 1-21 and lines 45-55).

As to claim 9, Abecassis discloses everything claimed as applied in claims 8 above. In addition Abecassis discloses acting in a way different from the predefined way (304) comprises means for skipping the second information (107) (Edited program; Col. 12 line 1-67 and col. 13 lines 1-21).

As to claim 10, Abecassis discloses everything claimed as applied in claim 8 above. In addition Abecassis discloses means for acting in a way different from the predefined way (304) is further depending on a key (401) (Play command; Col. 10, lines 51-67).

As to claim 14, Abecassis discloses an optical disc recorder (500) for recording a content (103) (Fig. 3, 501 or video information on the disk 701) and a navigation structure (104) onto an optical disc (100) (Col. 10, lines 51-67), the navigation structure (104) (Fig. 6, all boxes such as play function and etc or content map or viewer preference structure) comprising commands from a set of navigation commands(Fig. 6,

Art Unit: 2621

all boxes for example, insert video disk, viewer control enabled and etc) for controlling the playback sequence (112)(Fig. 6, segment sequence, 724 or playback routines 721)of the content (103)(Fig. 3, 501 or video information 611 on the disk 701), the set of navigation commands (Fig. 6, all boxes for example, insert video disk, viewer control enabled and etc) comprising conditional commands (110)(Fig. 6, diamond boxes for example viewer control enabled, edit preference match 713, edit privileges 716, adequate preference structure 719 and etc) for controlling the playback sequence (112))(Fig. 6, segment sequence, 724) in a predefined way (109) (Fig. 6, Edit privileges is “NO” 714 or before editing is done) depending on a precondition (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) related to a playback status (102) (Fig. 6, 702, play function) of an optical disc player (Fig. 5), the content (103) (Fig. 3, 501 or video information 611 on the disk 701) comprising a first information (106) being freely accessible (Edit privileges is “NO”, Fig. 6 or before editing) and a second information (107) (Edit privileges is “YES” Fig. 6 or video after editing) being accessible dependent on the precondition (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) in a preceding conditional command (Fig. 6 diamond boxes for example viewer control enabled, edit preference match 713, edit privileges 716, adequate preference structure 719 and etc), the optical disc recorder (500) comprising a recording unit (503) for recording data onto the optical disc (100) (Col. 10, lines 51-67 and video data), the data comprising the content (103) (Fig. 3, 501 or video information on the disk 701) and the navigation structure (104) (Fig. 6, all boxes such as play function and etc or content map or viewer

Art Unit: 2621

preference structure), a control unit (502) for receiving input data (501) comprising the content (103) (Fig. 3, 501 or video information on the disk 701, and generating the navigation structure (104) (Fig. 6, all boxes such as play function and etc or content map or viewer preference structure), means for recognizing (507) the second information (107) (information is read that is edited), the control unit being arranged for including (508) a preset precondition (111) (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) in the preceding conditional command in the navigation structure (104) for controlling access to the second information (107), the preset precondition (111) (Fig. 6, Edit privileges 714 or program preference structure 712 or view control enabled 703) being unrelated to the playback status (102) of the optical disc player (300) Col. 12 line 1-67, col. 13, lines 1-21 and lines 45-55).

As to claim 15, Abecassis discloses everything claimed as applied in claim 14 above. In addition Abecassis discloses the control unit (502) is arranged for receiving input from a user (504) for defining the playback status (Play command; Col. 10, lines 51-67).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 4, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 7,724,472 to Abecassis in view of U.S. Patent 7,010,809 B2 to Hori et al. "Hori".

As to claim 3, Abecassis discloses everything claimed as applied in claims 1 and 2 above. But Abecassis does not expressly disclose the first information (106) is non-encrypted information and that the second information (107) is encrypted information.

Hori discloses the first information (106) is non-encrypted information and that the second information (107) is encrypted information (Fig. 6).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Abecassis with the teachings of Hori. Motivation to combine would have been to provide partially encrypted contents so that only certain data could be reproduced. Thus giving control over contents to be displayed.

As to claim 4, Abecassis discloses everything claimed as applied in claims 1 and 2 above. In addition Abecassis discloses the preset precondition (111) in the preceding conditional command is arranged (edit privileges 714 or adequate preference structure 719, Fig. 6). But Abecassis does not expressly disclose the command is arranged for shielding encrypted information from being accessed.

Hori discloses a command is arranged for shielding encrypted information from being accessed (Fig. 16, S518).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Abecassis with the teachings of Hori. Motivation to combine would have been to shield data from being accessed by an unauthorized user.

As to claim 13, Abecassis discloses everything claimed as applied in claim 8 above. In addition Abecassis discloses second information (edited video) but Abecassis does not expressly disclose the player (300) comprises means for decryption (402) of the second information (107).

Hori discloses the player (300) comprises means for decryption (402) of the second information (107) (Fig. 8, 1513).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Abecassis with the teachings of Hori. Motivation to combine would have been to allow decryption of encrypted contents.

As to claim 16, Abecassis discloses everything claimed as applied in claim 8 above. In addition Abecassis discloses second information (edited video) but Abecassis does not expressly disclose the optical disc recorder (500) comprises means for encrypting (505) the second information (107).

Hori further discloses the optical disc recorder (500) comprises means for encrypting (505) the second information (107) (Fig. 38, col. 2, lines 55-58).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHER KHAN whose telephone number is (571)270-5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571)272-7905. The fax phone

Art Unit: 2621

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621

/A. K./
Examiner, Art Unit 2621